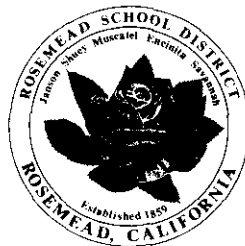


ORIGINAL

3907 Rosemead Blvd.
Rosemead, CA 91770-1951
Phone: (626) 312-2900

AMY ENOMOTO-PEREZ, Ed.D., Superintendent



Fax: (626) 312-2906 Administrative Office
Fax: (626) 312-2907 Business Office
Fax: (626) 312-2913 Special Education Office
Fax: (626) 312-2918 Child Development
Fax: (626) 312-3814 Pupil Personnel

BOARD OF TRUSTEES
RANDALL CANTRELL
RONALD ESQUIVEL
SANDRA MARTINEZ
FRED MASCORRO
CHARLES LYONS

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JUN 23 2003

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Lila Wills Bronson, Ed.D
Director of Technology
Rosemead Elementary School District
Billed Entity Number: 143604
(626) 312-2900 x256
lbronson@rosemead.k12.ca.us

June 20, 2003

Marlene H. Dortch
Secretary, Federal Communications Commission
Room TW-A325
445 12th St. S.W.
Washington, D.C. 20554

Dear Marlene Dortch,

Esteemed members of the Federal Communications Commission, as Rosemead School District's representative, I wish to file an appeal on their behalf with regard to the Rosemead School District's Form 471 Application No. 303357 for Funding Year 2002 (7/01/02-6/30/2003), CC Docket No. 96-45 and 97-21 and CC Docket No. 02-6 (Billed Entity Number 143604). In particular, this appeal questions action taken to deny the Funding Request Numbers: 781548, 781573, 781602, 303357, 781867, 781891, 850331, 781632, 781661, 781766, 781796, 781820, 781840, 781857, 799419, 799446, 799465, 799482, 799507, 799570, 817015.

SLD denied Funding Year 2002 requests for internal connections services for the Rosemead School District based on purported "similarities" in the Applicants' Form 470 service descriptions and in their responses to Selective Review Information Request questions, from which SLD concluded that there was "improper vendor involvement." The cited similarities, to the extent they exist, do not indicate a

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violation of any E-Rate Program rule or policy. Vendor involvement with applicants during the funding process is encouraged and in some instances required. The assistance provided by the Applicants' vendor, Spectrum, was entirely consistent with program rules and guidelines.

On May 13, 2003, SLD announced a new policy specifically prohibiting vendor assistance with Information Request responses – one of the bases for the denials that are the subject of this Request for Review. The May 13 announcement of the new policy, which contradicts prior information about vendor assistance, confirms that application of that new policy to the Applicants constitutes a retroactive penalty, which must be reversed.

Rosemead School District serves student populations that are primarily low income. The Rosemead School District is a K-8 public school district located in Rosemead, California. It is located in the middle of the San Gabriel Valley, and district students attend Rosemead High School, which is part of the El Monte Union High School District. There are four elementary (K-6) and one middle school (7-8) with a growing population of 3,421 ethnically diverse students. Of these children, 1,048 or 31% of them, have been identified as English Learners. The student population includes 32 identified home languages and dialects, with 70% of the students speaking English as a second language. An average of 78% of our students are on free and reduced lunch. Approximately 30% of the students are considered Title I or are reading at the 31% percentile on the annual SAT 9 test.

Our students have been and continue to be substantially harmed by the funding denials. Rosemead School District respectfully requests expedited consideration of this Request for Review in order to reverse the SLD's decisions and grant the Applicants' Funding Year 2002 requests. In addition, the technology department, consisting of the technology director and a network administrator have spent an inordinate amount of time reviewing bids, preparing ERATE documents, planning and addressing SLD requests for information with the net result of being accused of improper conduct and unethical practice. An estimated 180 hours of work

went into the paperwork and review process for ERATE year 5 over a 15 month period, which I as the technology director personally conducted and yet the SLD has deemed this labor which is reflected in the attached correspondence to be work of a vendor, rather than my own. I object to this insinuation and would like to have the matter carefully reviewed and be given a fair and reasonable opportunity to defend the honest competitive bidding practices that were used and the legitimacy of my hard work on behalf of the Rosemead School District.

I am the Director of Special Projects and Technology for Rosemead Elementary School District, in Rosemead, California ("RESD"). RESD has participated since 1998 in the Schools and Libraries Mechanism ("E-Rate Program"). I have been involved on behalf of RESD in the E-Rate Program since 1999. RESD has been able to wire all of its five schools and acquire routers and switches to manage the network. In addition, we have received discounts on phone service, internet access and email. During that time, we have used 9 vendors: Pacific Bell, AT&T, Nextel, AMI Cabling Co., SBC Datacomm, Ocean Park Electrical Contractors, Los Angeles County Office of Education, Apple, Inc., Spectrum Communications, and Centrinity. Of the vendors used, 9 were approved and 3 were denied. 30 of the funding requests were approved and 24 of the applications were denied during that period.

On December 3, 2001, RESD submitted its FCC Form 470 seeking competitive bids for telecommunications, internal connections, and Internet services for Funding Year 2002 (Application No. 467700000390406). I am listed as RESD's contact person on the Form 470 Application. RESD's Form 470 Application was posted on December 3, 2001. A copy of the Form 470 is attached.

On January 17, 2002, RESD submitted its FCC Form 471 Application for Funding Year 2002 (Application No. 303357) requesting funding to purchase eligible services from various service providers, including Spectrum Communications Cabling Services, Inc. ("Spectrum").

In early May 2002, RESD received from the SLD an E-Rate Selective Review Information Request. RESD received two subsequent written requests from SLD related to the Information Request.

On or about May 29, 2002, September 25, 2002, and February 9, 2003, I submitted, on behalf of RESD, written responses to the Information Request and the two follow up requests. Copies of these responses are attached.

On April 22, 2003, the SLD issued a Funding Commitment Decision Letter in which it denied 20 separate Funding Request Numbers (FRNs) associated with RESD's Form 471 Application. For each FRN that was denied, the service provider was Spectrum. The "Funding Commitment Decision" for each FRN is identical, and states: "\$0.00 – Bidding Violation." The "Funding Commitment Decision Explanation" for each FRN also is identical, and states: "Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process." A copy of the Decision is attached.

Also on April 22, 2003, the SLD sent to RESD a Further Explanation of Administrator's Funding Decision. (A copy is attached.) Although the Further Explanation states that the Funding Commitment Decision Letter is "the official action" by SLD and USAC, RESD will address, and seeks review of, both the Funding Commitment Decision Letter and the Further Explanation.

As noted above, the Decision, by way of explanation, simply states (1) "similarities" in the internal connections description on Forms 470 "among applicants associated with this vendor," and (2) "similarities" in the "description ... of the vendor selection process among applicants associated with this vendor." The Decision does not state what "similarities" were found with respect to either the Form 470 internal connection descriptions or the descriptions of the vendor selection process. The Decision also refers to other "applicants associated with this vendor"

but does not identify them. I have not reviewed any other applicant's Form 470 or description of its vendor selection process, I have not discussed these matters with any other applicant, and no one else from RESD has discussed these matters with any other applicant.

The Further Explanation states: "During the review of your application, USAC became aware of the fact that there were striking similarities in the description of the internal connection services sought on FCC Forms 470 among various applicants later associated with the same service provider." I was responsible for providing the information referred to in this statement. That information is contained in RESD's Form 470, Block 2 (Summary Description of Needs or Services Requested), Item 10 (Internal Connections), which asks applicants to "list ... the Internal Connections Services you seek," and to "[s]pecify each service or function ... and quantity and/or capacity," and refers applicants to the SLD's Eligible Services List for examples of eligible internal connections services. In RESD's Form 470, I listed 68 separate "Service[s] or Function[s]" and specified that each was needed districtwide.

I was responsible for providing the information referred to in RESD's Form 470 Application. Before I submitted RESD's Form 470 Application, I reviewed the sample Form 470 posted on the SLD's web site. Also, as instructed by the Form 470 instructions, I reviewed the Eligible Services List on the SLD web site. In 1999, During my first year of participation in the ERATE program, I received specialized training from a fellow technology director who as a consultant provided assistance in completing the 470 and 471 forms, how to participate in the competitive bidding process, and the rules and regulations which govern the ERATE program. Since then I have attended ERATE workshops at technology, sponsored by CDE and others as well as teleconferences sponsored by Pacific Bell. I completed the Form 470 using these resources.

The competitive bidding process that was triggered by the posting of RESD's Form 470 was fair and open. Spectrum did not control or influence RESD's decision

to seek competitive bids on the items listed on our Form 470, and RESD did not surrender control of the competitive bidding or vendor selection process to Spectrum.

The Further Explanation states:

USAC selects certain applicants for a Selective Review to ensure that they are following FCC rules relating to, among others, the competitive bidding process. Applicants who are chosen for this review are sent the “E-Rate Selective Review Information Request.” As part of this request, applicants are asked to answer certain questions regarding their competitive bidding and vendor selection process. In particular, applicants are asked to:

Please provide complete documentation indicating how and why you selected the service provider(s) selected. This documentation should provide a description of your evaluation process and factors you used to determine the winning contract(s).

The person authorized by the applicant to sign on the applicant’s behalf, or the entity’s authorized representative, is required to certify that the authorized signer prepared the responses to the Selective Review Information Request on behalf of that entity.

... USAC further ascertained that the responses provided by various applicants associated with [Spectrum] to the portion of the Selective Review questions described above seeking a description of the factors that the applicant used to determine the winning contracts contained identical language.

... Based on the evidence described above, USAC reasonably has concluded that the description of [the competitive bidding] process that you provided to USAC appears to have been prepared by your service provider.

... USAC has concluded that the evidence described indicates that the service provider was improperly involved in the competitive bidding and vendor selection process and that the applicant did not provide the answer to these questions.

In other words, it is my understanding that according to the Further Explanation, SLD was concerned about the answer I provided on behalf of RESD in response to Item 4 of the Information Request as it related to Spectrum. That response was as follows:

4. Internal Connections (Spectrum Communications) – Spectrum Communications was selected by Rosemead Elementary School District under the CMAS procurement program and other applicable procurement codes. Spectrum Communications provides the most cost-effective product, with the least amount of hassle, and exceeds District requirements for Information Technology projects. Spectrum Communications understands the Business Operations of Elementary School Districts, due to the many years that this vendor has been successfully utilized for Information Technology Projects. It is allowable under California Public Contract Code for Rosemead Elementary School District to select Spectrum Communications under the CMAS agreement without further competitive bidding.

Please Note:

As Rosemead School District is member of a 19 District Educational Technology Consortium, we meet monthly to discuss technology planning, ERATE and grant funding proposals, staff development planning, vendor selection criteria, network operations, staffing and other pertinent issues. This forum has been an invaluable resource to me as a Technology director to make the appropriate recommendations regarding vendors and other technical matters with regard to ERATE.


With respect to the certification referred to in the Further Explanation, it states: "I certify that I prepared the responses to this fax."

While preparing RESD's responses to the Information Request and SLD's follow up questions, I was not aware of any FCC or SLD prohibition on an applicant discussing with or obtaining information from a service provider to assist an applicant in preparing responses. My dictionary defines the word "prepare" as meaning "to make ready" and I believe that is exactly what I did. I instructed others, including Spectrum, to compile information that I believed responded to the Information Request, and then I reviewed that information, confirmed its accuracy, instructed others to type out that information, and attested to its accuracy by signing the response to the Information Request. I similarly prepared and signed RESD's two follow up responses to the SLD's additional questions about RESD's competitive bidding and vendor selection process. At my request, Spectrum provided me with information, including information about the California Multiple Awards Schedule. I prepared the responses in good faith and the information I provided is true and correct to the best of my knowledge. Consequently, I believe that I appropriately certified that I prepared the responses to the Information Request. Moreover, all of the information provided by RESD confirms that RESD conducted a fair and open competitive bidding process that complied with FCC and SLD rules and guidelines and California state laws.

As a result of the SLD's delay in processing RESD's Funding Year 2002 requests, money that was allocated to pay our portion of the projects was redirected to other budgetary concerns. Also, projects that were incomplete, such as new buildings added to the Middle School after the initial wiring had been done several years ago had to be delayed until such time as the school board could approve other funds. We still have incomplete network infrastructure such as increased bandwidth which has been funded but we lack the equipment to utilize it, classes that have cabling but no switches or cabinets to keep the equipment secure and safe, warranties on equipment that is expiring and a critical demand for technical support to facilitate the implementation of new technologies which are underutilized due to lack of trained

staff. The net result is that lack of ERate year 5 funding has made it nearly impossible to proceed with an equitable and comprehensive implementation of our federally approved technology plan and thus directly affects the extent to which teachers and students have access to Internet resources that support the instructional program.

The foregoing is true and correct to the best of my knowledge, information, and belief.


Dr. Lila Wills Bronson,
Director of Technology
Rosemead School District

Date: June 20, 2003

Please cc: William Maher, Chief, Competition Bureau, FCC

Mark Seifert, Deputy Chief, Telecommunications Access Policy Division, FCC

D. Scott Barash, Esq., USAC

FCC Form

Approval by OMB
3060-0806**470**

Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 5.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before completing.

(To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identifications

(School, library, or consortium desiring Universal Service funding.)

Form 470 Application Number: 467700000390406

Applicant's Form Identifier: RSD.Inetconn.5

Application Status: CERTIFIED

Posting Date: 12/03/2001

Allowable Contract Date: 12/31/2001

Certification Received Date: 12/04/2001

1. Name of Applicant:
ROSEMEAD ELEM SCHOOL DISTRICT

2. Funding Year:
07/01/2002 - 06/30/2003

3. Your Entity Number
143604

4. Applicant's Street Address, P.O.Box, or Route Number

a. Street
3907 Rosmead Blvd

City
ROSEMEAD

State
CA

Zip Code 5Digit
91770

Zip Code 4Digit
2041

b. Telephone number
(626) 312- 2900

ext.

c. Fax number
(626) 312- 2906

d. E-mail Address
lbronson@rosemead.k12.ca.us

5. Type Of Applicant (Check only one box)

☐ Library (including library system, library branch, or library consortium applying as a library)

☐ Individual School (individual public or non-public school)

☒ School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools)

☐ Consortium (intermediate service agencies, states, state networks, special consortia)

6a. Contact Person's Name: Dr. Lila Wills Bronson

6b. Street Address, P.O.Box, or Route Number (if different from Item 4)

<input type="checkbox"/> 3907 Rosmead Blvd			
City ROSEMEAD	State CA	Zip Code 5Digit 91770	Zip Code 4Digit 2041
<input type="checkbox"/> 6c. Telephone Number (10 digits + ext.) (626) 312- 2900			
<input type="checkbox"/> 6d. Fax Number (10 digits) (626) 312- 2906			
<input checked="" type="checkbox"/> 6e. E-mail Address (50 characters max.) lbronson@roosemead.k12.ca.us			

Block 2: Summary Description of Needs or Services Requested

7 This Form 470 describes (check all that apply):

- a. ☐ Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.
- b. ☐ Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.
- c. ☒ Services for which a new written contract is sought for the funding year in Item 2.
- d. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

NOTE: Services that are covered by a qualified contract for all or part of the funding year in Item 2 do NOT require filing of Form 470. A qualified contract is a signed, written contract executed pursuant to posting a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract.

8 ☐ Telecommunications Services

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

- a. ☐ YES, I have an RFP. Choose one of the following: It is available on the Web at
or via ☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.
- b. ☐ NO, I do not have an RFP for these services.

If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity (e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Telecommunications Services, and remember that only common carrier telecommunications companies can provide these services under the universal service support mechanism. Add additional lines if needed.

9 ☐ Internet Access

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

- a. ☐ YES, I have an RFP. Choose one of the following: It is available on the Web at
or via ☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.
- b. ☐ NO, I do not have an RFP for these services.

If you answered NO, you must list below the Internet Access Services you seek. Specify each service or function (e.g., monthly Internet service) and quantity and/or capacity (e.g., for 500 users). See the Eligible Services List at www.sl.universalservice.org for

examples of eligible Internet Access Services. Add additional lines if needed.

10 ☒ Internal Connections

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a ☐ YES. I have an RFP. Choose one of the following: It is available on the Web at
or via ☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☒ NO. I do not have an RFP for these services.

If you answered NO, you must list below the Internal Connections Services you seek. Specify each **service or function** (e.g., local area network) and quantity and/or capacity (e.g., connecting 10 rooms and 300 computers at 56Kbps or better). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internal Connections Services. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
Wireless Lans	Districtwide
Automatic Route Selection	Districtwide
Backup Equipment	Districtwide
Battery Backup	Districtwide
Broadband Amplifier	Districtwide
Bundled Products	Districtwide
Cabinets/Racks	Districtwide
Cable Boxes/Cable Modem	Districtwide
Cabling	Districtwide
CSU/DSU	Districtwide
Client Access Licenses	Districtwide
CODEC	Districtwide
Communications Server	Districtwide
Conduit/Raceway	Districtwide
Connector	Districtwide
Console, PBX/Centrex	Districtwide
Coupler	Districtwide
DIMM	Districtwide
Documentation	Districtwide
Edge Device	Districtwide
Ethernet Cards/NIC	Districtwide
Ethernet Network Module	Districtwide
Faceplate	Districtwide
FRAD	Districtwide
Frame Relays/PVCs	Districtwide
Har* Disk drive	Districtwide
Hub/Switch/Router	Districtwide
KSU/PBX	Districtwide
Laptop Computer	Districtwide
LAN	Districtwide
Maintenance/Technical Support	Districtwide
Media Converter	Districtwide
Modem	Districtwide
Monitor	Districtwide
Multiplexing	Districtwide

Network Interface Device	Districtwide
PC Attendant Console	Districtwide
Power Poles	Districtwide
Power Strips	Districtwide
PBX Printer	Districtwide
PVBX	Districtwide
Rack Mounted Power Strips	Districtwide
RAID	Districtwide
Servers	Districtwide
Server Software	Districtwide
Switchboard	Districtwide
System Improvements and Upgrade	Districtwide
Tape Backup	Districtwide
Terminal Server	Districtwide
Transceiver	Districtwide
TX to FX converter	Districtwide
Uninterruptable Power Supply	Districtwide
Universal Box	Districtwide
Video Equipment	Districtwide
Voice Compression Module	Districtwide
Voice Interface Card	Districtwide
Voice/Fax Network Module	Districtwide
Voice/Video Over IP	Districtwide
Wire and Cable Maintenance	Districtwide
Construction Costs	Districtwide
Contingency Fees	Districtwide
Dark Fiber	Districtwide
Leasing Fees	Districtwide
Per diem	Districtwide
Professional Services	Districtwide
Programming and Configuration	Districtwide
Taxes, Surcharges and Access Charges	Districtwide
Travel Time	Districtwide

11 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name:

Title:

Telephone number (10 digits • ext.)

() -

Fax number

() -

E-mail Address (50 characters max.)

12. ☒ Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or give Web address where they are posted.

CMAS Vendors Only

13. (Optional) Purchases in future years: If you have plans to purchase additional services in future

years, or expect to seek new contracts for existing services, summarize below (including the likely time-frames).

Block 3: Technology Assessment

14. ☐ **Basic telephone service only:** If your application is for basic local and long distance voice telephone service only, check this box and skip to Item 16.
15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.
- a. Desktop communications software: Software required ☒ has been purchased; and/or ☐ is being sought.
- b. Electrical systems: ☒ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.
- c. Computers: a sufficient quantity of computers ☐ has been purchased; and/or ☒ is being sought.
- d. Computer hardware maintenance: adequate arrangements ☐ have been made; and/or ☒ are being sought.
- e. Staff development: ☐ all staff have had an appropriate level of training or additional training has already been scheduled; and/or ☒ training is being sought.
- f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

Block 4: Recipients of Service

16. Eligible Entities That Will Receive Service:

Check the ONE choice that best describes this application and the eligible entities that will receive the services described in this application.

You must select a state if (b) or (c) is selected: CA

a. ☐ **Individual school or single-site library:** Check here, and enter the billed entity in Item 17.

b. ☐ **Statewide application (check all that apply):**

- ☐ All public schools/districts in the state:
- ☐ All non-public schools in the state:
- ☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☐ **School district, library system, or consortium application to serve multiple eligible sites:**

Number of eligible sites	6
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
626	286, 287, 312, 442, 443, 553, 614
If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item 18.	

17. Billed Entities

Entity Name	Entity Number
ROSEMEAD ELEM SCHOOL DISTRICT	143604

18. Ineligible Entities

Ineligible Participating Entity	Entity Number	Area Code	Prefix
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Block 5: Certification**19. The applicant includes:(Check one or both)**

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities.

20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:

- a. ☐ individual technology plans for using the services requested in the application
- b. ☒ higher-level technology plans for using the services requested in the application
- c. ☐ no technology plan needed; application requests basic local and long distance telephone service only.

21. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):

- a. ☒ technology plan(s) has/have been approved by a state or other authorized body.
- b. ☐ technology plan(s) will be approved by a state or other authorized body.
- c. ☐ no technology plan needed; application requests basic local and long distance telephone service only.

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other

thing of value.

23. ☒ I recognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

24. ☒ I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person: ☒

26. Date (mm/dd/yyyy): 12/04/2001

27. Printed name of authorized person: Dr. Lila Wills Bronson

28. Title or position of authorized person: Director of Technology

29. Telephone number of authorized person: (626) 312 - 2900 ext. 256

[New Search](#)

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05/29/02

Ms. Laura Ransegnola
SLD, PIA Selective Review
80 S. Jefferson Road
Whippany, NJ 07981

Dear Ms. Ransegnola:

The intent of this letter is to provide the clarification requested on the first half of the Item 25 certification review, or the "Information Regarding the Competitive Bidding Process and Vendor Selection".

I will restate the Six Different areas of review and then follow with the District's response to each area or site additional attachments.

1. Please provide signed and dated copies of all contracts relating to your Funding Year 5 Form (s) 471. If contracts are not provided, please explain why you have not provided them. If the price on the contract is different from the pre-discount price on your Form(s) 471 please explain the difference and account for the difference. (For example, if the dollar amount on the contract is higher than the dollar amount on your Form(s) 471 indicate which services have been backed out, if that is the case. If the dollar amount on the contract is lower than the dollar amount on your Form(s) 471, explain why.)

Please see the attached contracts in Section 1.

Contracts are not supplied for:

- 1) Pacific Bell Local Telephone Service – we are charged the Tariff Rates for Local Telephone Service on an ongoing month to month basis.
- 2) AT&T Long Distance – we are charges the Tariff Rate for Long Distance Service.
- 3) SBC/Pacific Bell Data Circuits/T1's – we will be charged the Tariff Rates for these circuits on an ongoing month to month basis.
- 4) Nextel Wireless – We are charged on a month to month basis for this service.
- 5) Soft Arc aka Centrinity as under local procurement procedure, no contract is needed for month to month Internet data circuit access.
- 6) SBC DataComm is a CMAS contractor and was awarded the contract under those terms.
- 7) Pac Bell Internet- as under local procurement procedure, no contract is needed for month to month Internet access.

2. Please provide a copy of all requests for proposals (RFP's, invitation to bid, request for bids, etc.) or other documentation of bid requests for services/products requested on each Form 471. You do not need to provide copies of Form(s) 470 that were posted to the website. If RFPs are not provided, please explain why you have not provided them.

Please reference Section 3- Bids/RFPs

Telecomm Services –

- 1) Local Telephone - No RFPs were provided. The local incumbent telecommunications provider, Pacific Bell, was selected and Tariff rates are paid.**
- 2) Long Distance – No RFPs were created. The Business Office selected AT&T as the provider and Tariff Rates are paid. This is the incumbent provider of long distance service to the District.**
- 3) Data Circuits (T1s) – No RFPs were created. The local incumbent telecomm, Pacific Bell that has been providing telecommunications service to the District under Tariff rates was selected, as these services are also Tariff.**
- 4) ISP service – No formal RFP was created. The District will either use the County Office of Education or Pacific Bell Internet or a combination of these providers to provide Internet Service to the District. Local procurement procedures does not require a formal RFP for this service.**
- 5) Nextel Wireless – No RFPs were created. This service is selected by the District Business Office and no formal RFP is required for this service type under local procurement code.**
- 6) SoftArc (E-mail Service) – Several other email vendors were investigated (i.e Echalk, gaggle.net) but under local procurement code, a formal RFP, other than the 470 was not required.**
- 7) Cabling Service (Ocean Park) – Include RFP.**
- 8) Electronics (SBC) – No RFP was created. Rosemead Elementary School District utilized the California Multiple Award Schedule (CMAS) as the procurement vehicle. CMAS is a pre-negotiated and competitive “master agreement” by the California Department of General Services, Procurement Division. This effectively streamlines the procurement cycle for State and Local Government Agencies as the competitive bidding process has already taken place.**
- 9) Other Internal Connections (Spectrum Communications) – No RFP was created. Rosemead Elementary School District utilized the California Multiple Award Schedule (CMAS) as the procurement vehicle. CMAS is a pre-negotiated and competitive “master agreement” by the California Department of General Services,**

Procurement Division. This effectively streamlines the procurement cycle for State and Local Government Agencies as the competitive bidding process has already taken place.

Please Note:

School Districts are allowed to piggyback with CMAS to procure products and services (Public Contract Code sec. 10299) from the vendor that provides the "best value". Spectrum Communications has been selected by Rosemead Elementary School District based upon the following criteria:

- They have successfully completed several Information Technology Projects for surrounding School Districts in the past, with minimal change orders.
- They have exceeded expectations above and beyond the requirements of the Scopes of Work.
- They have provided valuable assistance with project management with no additional cost to the Rosemead Elementary School District.
- Any and all disputes and dissatisfaction has been resolved with minimal resource impact to the neighboring School Districts.
- They have intimate and detailed knowledge of Rosemead Elementary School District's Information Technology Network and function as a partner with the District and not just another vendor selling goods.
- Spectrum Communications is a qualified CMAS supplier.

3. Please provide complete copies of all bids that were received.

Please see the attached bids in Section 3.

4. Please provide complete documentation indicating how and why you selected the service provider(s) selected. This documentation should include a description of your evaluation process and factors you used to determine the winning contact(s).

1. Telecomm Services – Incumbent providers were selected, by the District Business Office.

2. Internet Service – Rosemead Elementary School District selected both LACOE and Pacific Bell Internet to provide Internet Access to the District. The county office currently supplies the District's Internet Service and Pacific Bell is the offering by our local telecommunications carrier. These are both selected due to ease of billing, technical efficiency, and other business parameters. SoftArc, aka

Centrinity was selected as they offer an email package to the District that meets all the technical requirements necessary.

3. Internal Connections – SBC Datacomm was selected as they provided the District with a proposal to upgrade the equipment purchased last year from SBC. They are the current incumbent provider of Data Electronics. Ocean Park Telecomm was selected using the tradition 3 bid process. They were the lowest responsible bidder(Please refer to attached documentation)

4. Internal Connections(Spectrum Communications) – Spectrum Communications was selected by Rosemead Elementary School District under the CMAS procurement program and other applicable procurement codes. Spectrum Communications provides the most cost-effective product, with the least amount of hassle, and exceeds District requirements for Information Technology projects. Spectrum Communications understands the Business Operations of Elementary School Districts, due to the many years that this vendor has been successfully utilized for Information Technology Projects. It is allowable under California Public Contract Code for Rosemead Elementary School District to select Spectrum Communications under the CMAS agreement without further competitive bidding.

Please Note:

As Rosemead School District is a member of a 19 District Educational Technology Consortium, we meet monthly to discuss technology planning, ERATE and grant funding proposals, staff development planning, vendor selection criteria, network operations, staffing and other pertinent issues. This forum has been an invaluable resource to me as a Technology director to make the appropriate recommendations regarding vendors and other technical matters with regard to ERATE.

5. Please provide a copy of the consulting agreement(s) related to the planning, implementation, and support of your E-Rate funding request(s). N/A

Rosemead Elementary School District has not, and does not have paid consultants related to E-Rate. The District may request vendor assistance with the E-Rate processes and procedures where it is allowable and necessary (such as providing information related to technical parameters, quotes, etc.), but the District takes sole responsibility for the entire E-Rate process from planning, to implementing, and supporting the E-Rate funded requests.

6. Please provide a copy of all correspondence between your service providers and consultants and the school regarding the competitive bidding process and the application process.

Please see the attached correspondence in Section 9.

Ms. Ransgnola, I sincerely hope that the information provided is sufficient for your review and use. If it is not, please do not hesitate to contact me further. I am also including the other required sections (Fax Back pages, resource plan, implementation plan, budget documentation, tech plan, etc.), for Part II of this review. Rosemead Elementary School District appreciates all the assistance that the SLD has provided for technology through the E-Rate program.

Thank-you!

Sincerely,

Dr. Lila Wills Bronson

Dr. Lila Wills Bronson
Director of Special Projects and Technology
Rosemead Elementary School District
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Fax Back Page 2: Resource Plan

A. Financial

Rosemead School District has been successful in obtaining technology funding and resources from programs other than E-Rate. Some, but not all of the programs, that have been utilized by the District for Technology Related Projects are as follows:

Technology Literacy Challenge Grant Part A: This grant provided Rosemead School District with funds to develop our technology plan. The goal of this program is to develop long range plans for implementing technology in 5 areas: a) Integration of Technology into the Curriculum, b) Professional Development, c) Technology Infrastructure, Hardware, Technical Support and Software, d) Funding and Budget, e) Monitoring and Evaluation. This grant provided \$10,000 for the 2001-2002 school year, but was a continuation of work that had begun the previous year with the District Technology Committee. Subcommittees were formed in each of the five areas and Technology committee members worked diligently to develop action plans in each area. A draft of the revised plan has been submitted to the California State Department of Education for approval but a previous version of the Technology Plan has been approved for E-rate guidelines in July, 2002.

Measure RR: In 2002, the voters living within the District's boundaries approved a Bond Measure for 30 million dollars. As of May, 2002, the Rosemead School District has sold the first 8 million issuance and will continue to issue bonds over the next eight years to complete the reconstruction program at all schools. This money is earmarked to build several new classrooms, and also to pay for capital improvements at each of the District's five school sites. These capital expenditures will include things like electrical upgrades and other construction costs. Roughly \$4.5 million has been earmarked for site improvements and upgrades (electrical work) as well as a portion of the District's E-Rate match as well as other excluded networking improvements at all school sites. Future bond issuances will be used for the improvement of existing instructional spaces to accommodate the needs of the educational program and to take advantage of technology currently being installed or applied for.

ESEA reauthorized as No Child Left Behind (2002-2012); School Improvement Programs, The Rosemead School District is also the recipient of funding under the Federal Elementary and Secondary Schools Act, also known as the No Child Left Behind Act Titles Program. The funding from this program can be utilized for expenditures related to, but not supported by, E-Rate such as professional development, end-user application software purchases, curriculum development, computer and network purchases etc., provided that they are identified as expenditures that will remediate identified learning deficits according to the School Improvement Plan. Rosemead School District is conducting strategic planning by utilizing a consultant and has also convened an Accountability Task Force with membership from the District and school sites to rewrite School Plans and reevaluate the impact of supplemental programs on increasing student achievement. The role of technology is being heavily considered as a means of individualizing instruction and enhancing curriculum delivery to students.

AB 1339, Knox Bill- Rosemead School District has applied and will continue to apply for money from the State of California under this bill. This particular State grant provides up to \$20/per student based upon ADA (average daily attendance) for grades 4-8 if the school has a computer/student ratio of 1:10. The intent of these funds is to provide training for the instructional staff on integrating technology into teaching in accordance with an approved technology plan. We anticipate that we will receive an additional \$31,000 this next year.

Prior E-Rate Discounts: Rosemead School District has received a total of \$1 million dollars in E-Rate matching funds during program years 2, and program year 4. With these funds we have been able to cable each of the schools and to build a high quality network capable of voice, video and data delivery.

Rosemead School District intends to utilize the E-Rate program to augment the other funding pools available, and to maximize the amount of technology infusion into the classroom. The E-Rate program funds/savings will allow the dollars to be spread further, and allow the District to acquire and/or lease items such as High Capacity Circuits and upgraded network equipment to further the goals of the District's Technology Plan.

B. Retrofitting -Rosemead School District is currently applying for state modernization funds as well as the federal QZAB bond program as an additional way to finance retrofitting of classrooms, asbestos abatement, HVAC and electrical upgrades but it is uncertain as to whether this funding will be forthcoming at this time due to California's budget crisis and the QZAB lottery process. Nonetheless much of retrofitting and technology upgrading that is being done is paid for out of the Measure RR, a 30 million dollar Government Obligation bond approved by the Rosemead School District voters in 2000.

C. Technology Investment

Rosemead School District has purchased approximately 300 computers this fiscal year, and this brings the total number of useable computers District-Wide to 930. Additionally, Rosemead School District is planning to add an additional number of classroom computers to the network next year. The total amount of new computers is projected to be 100. Since the District Technology Committee was reconvened last year, there has been a concerted effort to upgrade and replace older model computers, servers and network equipment in order to maximize the implementation of the District's Technology Plan. We have replaced and/or added over 50% of the district's current technology equipment in the last 3 years.

As part of this year's ERATE 4 project, we are installing and upgrading all aspects of the LANs and WAN throughout the district. Each school, except for the one for which we are applying this year, Shuey School, is receiving a 4006 Cisco network switch at the MDF and 3524 Cisco switches at each IDF in addition to video content distribution managers and at least one web server at each site. At the District office, we currently have a Cisco 4006 network switch and a Cisco 7206 router configured on the WAN.

Rosemead currently has five schools connected to the Internet via a T1 line. The District is planning to upgrade to a larger capacity circuit (DS3) and to add additional T1 lines at each site

as the need for this bandwidth grows. The District also plans to connect to the "Digital California Project" (DCP) this year, which is the State provided high speed Internet dedicated for Education. This will connect K-12 schools together with Community Colleges and University's state-wide. This will allow the District to share resources (lesson plans, best practices, etc.) with other schools throughout California).

D. Professional Development

Rosemead School District plans to have at least one "Technology Mentor" at each school site to help with the integration of technology into curriculum and instruction. We currently have several part time technology mentors who are released from classes or assigned to help with technology integration at multiple sites as part of their regular assignment. Specialized training is offered to the tech mentors as an additional incentive.

Additionally, Rosemead School District leverages the Los Angeles County Office of Education, CTAP (California Technology Assistance Project) training opportunities and ED Tech Consortium resources to provide the instructional staff with ongoing and continuous professional development in technology. The average number of hours that each teacher receives is 5-20 hours of support but this figures varies according to ability, interest and schedule.

E. School Technology Staff

Rosemead School District has a total of three District staff related specifically to Technology. This staff consists of the following:

Title	Salary Range	Responsibility
Technology Director	\$87,976-\$93,328	Overall planning, strategy, funding methods, etc.
Network Systems Support Technician	\$39,384.-\$50,388.	Ongoing maintenance and support of District Wide-Area Network. Repair of computers, printers, etc.
Student Database Technician/ Computer Operator	\$29,268-\$37,452.	Maintenance of Student Information System Records Database.

Additionally each piece of new hardware (server, computer, printer, network component) comes with a standard manufacturer's warranty and for the equipment no longer covered by this warranty, the District seeks additional warranty coverage and support, including 3 year warranties on all computers purchased in the District.

ROSEMEAD SCHOOL DISTRICT
Rosemead, California

Administration

Director
Coordinator of Special Projects and Technology

Brief Description of Position

Under the supervision of the Superintendent, this position is responsible for state and federal categorically funded programs.

Major Duties and Responsibilities

1. Complies with federal and state guidelines in planning, developing, implementing and evaluating categorical programs.
2. Monitors progress of programs and their evaluation.
3. Responsible for coordination of the fiscal management of categorical programs and budget.
4. Provides leadership to project personnel in identifying school needs and determining objectives.
5. Coordinates staff development for project staff and eligible parents.
6. Provides leadership and works cooperatively with District Community Advisory Committees, School Advisory Committees, School Site Councils, English Language Learners Advisory Committee, and concerned community groups.
7. Serves as advisor to school principals, other staff members and curriculum committees.
8. Disseminates information regarding categorical programs to Board of Trustees, staff, parents and community.
9. Assists in the development of district policies relating to, but not limited to personnel, management, curriculum and budget.
10. Assists with selection of program personnel.